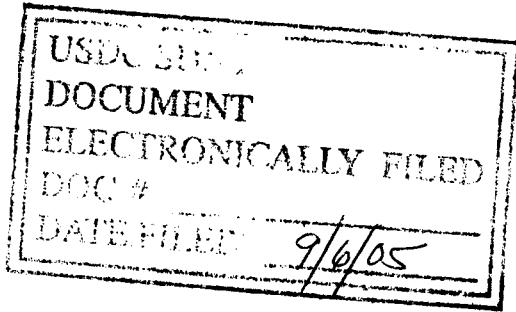


UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----x  
FRANKA.CRISTAUDO,



Plaintiff(s),

04 Civ 8782(PKC) (DFE)

- against -

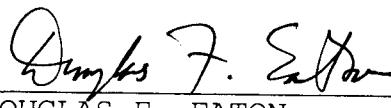
BUSINESS PAYMENT SYSTEMS L.L.C.,  
SAMUEL CHANIN,  
STEPHANIE LEE, and YITZCHOK BLAU,  
Defendant(s).

-----x  
ORDER OF DISCONTINUANCE

The parties having reached a resolution of this action, and the parties having agreed to this order, and the parties having consented to Magistrate Judge Eaton's jurisdiction for the limited purpose of entering this order,

IT IS HEREBY ORDERED that the above-captioned action be, and the same hereby is, discontinued with prejudice but without costs; provided, however, that on or before November 30, 2006, the plaintiff may apply to Magistrate Judge Eaton by letter (by fax and by mail) for restoration of the action to the calendar if the settlement is not effected, in which event the action will be restored to the calendar of the District Judge.

SO ORDERED.

  
DOUGLAS F. EATON  
United States Magistrate Judge

Dated: New York, New York

September 1, 2005